

# Kentucky

# Gazette.

NEW SERIES—NO. 53. VOL. V.]

LEXINGTON, K. FRIDAY, DECEMBER 31, 1819.

[VOL. XXXIII.]

FROM THE NATIONAL INTELLIGENCE.

## DOCUMENTS,

TRANSMITTED TO BOTH HOUSES OF CONGRESS,  
WITH THE MESSAGE OF THE PRESIDENT, OF 7th  
DECEMBER, 1819.

No. I.

1. Extract of a letter from Mr. Erving, minister plenipotentiary from the United States, in Spain, to Mr. Adams; dated Madrid, 10th February, 1818.
2. From the same to Mr. Adams, secretary of state; dated Madrid, 20th Feb. 1818.
3. Paper A. in Spanish.
4. do. A. Translation.
5. Paper B. in Spanish.
6. do. B. Translation.
7. From Mr. Erving to Mr. Adams; dated Madrid, April 5, 1818.
8. In Spanish.
9. Translation.
10. From Mr. Erving to Mr. Adams; dated Madrid, 26th April, 1818.
11. From the same to the same; dated Madrid, May, 14, 1818.
12. From the same to the same; dated Madrid, 12th June, 1818.
13. From the same to the same; dated Madrid, 22d July, 1818.
14. Copy, translation from the French, of Mr. Erving to Mr. Pizarro; private; dated Madrid, July 18, 1818.
15. Reply of Mr. Pizarro; copy, translated from the French.
16. From Mr. Erving to Mr. Adams; dated Madrid, September 20, 1819.
17. In Spanish.
18. Translation.
19. Extract from the propositions of Don Louis de Onis to the secretary of state, made 24th October, 1818. Translation.
20. Extract of a letter from the secretary of state to Don Louis de Onis; dated Department of State, Washington, 31st of Oct. 1818.
21. Extract of a letter from Don Louis de Onis to the secretary of state; dated Washington, 16th Nov. 1818. Translation.

Extract of a letter from Mr. Erving, minister plenipotentiary from the United States, in Spain, to Mr. Adams, dated Madrid, 10th Feb. 1818.

The king has lately made large grants of land in East Florida, to several of his favorites; and I am credibly informed that within these few days he has, by a sweeping grant, given all the remainder to the Duke of Alagon, captain of his guards, and the Count of Punon Rostro, one of his chamberlains. This is, perhaps, his mode of preparing for a cheap cession of the territory to the United States."

From the same to Mr. Adams, secretary of state, dated Madrid, 26th February 1818. Extract.

"The king has lately made large grants of lands in the Floridas to several of his favorite servants. The enclosed papers A and B, have been furnished to me, as extracts from the deeds to the principal grantees—the Duke of Alagon, captain of the body guards, and the Count of Punon Rostro, one of the chamberlains. Mr. Vargas, treasurer of the household, has another grant. In fine, I am led to believe that his majesty has given away the whole of the lands in that quarter, which had not been previously granted."

A.—[TRANSLATION.]—Original omitted.

To the Duke of Alagon.

All the uncultivated land not ceded in East Florida, which lies between the banks of the river Saint John and that of Saint John, as far as the mouths by which they empty themselves into the sea, and the coast of the Gulf of Florida, and the adjacent islands, with the mouth of the river Hijuelos, in 26th degree of latitude, following the left bank up to its source, drawing a line from Lake Macao, and then descending along the road from the river St. John to the lake Valdes: crossing another line from the extreme north of said lake to the source of the river Amurana; following its right bank as far as its mouth, in the 28th and 26th degrees of latitude, and running along the sea coast, with all the adjacent islands, up to the mouth of the river Hijuelos.

B.—[TRANSLATION.]—Original omitted.

To the Count of Punon Rostro.

All the uncultivated land not ceded in Florida, comprehended between the river Perdido, to the west of the Gulf of Mexico, and the rivers Amurana and Saint John, from Popa, until they empty themselves into the sea on the eastern side; by the north, the line of demarcation with the United States, and on the south by the Gulf of Mexico, including the desert islands on the coast.

From Mr. Erving to Mr. Adams, dated Madrid, 26th April, 1818. Extract.

"I perceive that Mr. Pizarro would be very glad to terminate it [the negotiation] here. In the mean time, I shall continue to work with him, to the end that his communications to Mr. Onis may be made as favorable as possible to a prompt adjustment of it at Washington. In this view, I asked him yesterday what had been said respecting Florida. He answered vaguely; but I perceived that there was some question of passing it to the United States, in compensation for the claims. I therefore begged him to prepare, in his instructions to Mr. Onis, for a difficulty which must certainly arise, if any 'transaction' of that kind should be proposed; that the claims in question would probably be liquidated by the United States, in such form, by commission or otherwise;

that in favor of Don Pedro de Vargas, treasurer of the household, and it is herewith transmitted. I hope soon to be able to obtain full copies of the grants to Alagon and Punon Rostro."

[The original, of which the following is a translation, is omitted]

### THE KING:

My governor and captain general of the island of Cuba and its district, under date of the 25th of January last, Don Pedro de Vargas, manifested to me as follows: Sire—Don Pedro de Vargas, knight of the royal military order of Alcantara, treasurer general of the royal house and patrimony of your majesty, with the most profound respect, at your royal feet, exposes—that there is a quantity of vacant and unpeopled land in the territory of the Floridas, and desiring that, if your majesty shall deign to reward his passable services, and the proofs which he has given of his loyalty, it may be without the least burthen on the public treasury, or in the prejudice of any third person, as may be done at present by some lands of that country, he beseeches your majesty that, by an effect of your sovereign goodness, you would deign to grant to him the property of the land which lies comprised within the following limits: that is to say—from the mouth of the river "Perdido," and its bay in the Gulf of Mexico, following the sea coast, and ascending by the [rivers] of "Buen Socorro" and of "Mobile," continuing along the "Mobile" till it touches the northern line of the United States, and descending by that in a right line to the source of the river "Perdido," and following the river "Mobile," in its lower part, and the bay of that name, returns by the sea coast towards the west; comprehending all the creeks, entries and islands, adjacent, which actually belongs to Spain, then, returning by their northern line, comprehending all the waste lands which belong, or may belong, and are in dispute or reclamation with the United States, according to the tenor of the treaties, and, also, all the waste land not ceded to any other individual, which is between the river "Hipuelos," in East Florida; and the river "San Lucia";—drawing a line from the source of one river to the source of the other, and following, by the coast of the Gulf of Mexico, from the mouth of the "Hipuelos" to the point of "Tancha," and doubling this, by the coast of the Gulf of Florida, to the mouth of the river "Santa Lucia," with the islands, &c. adjacent.

Considering the contents of this exposition, and attending to the merit of the individual, and his accredited zeal for my royal service, as also to the advantages to result to the state from peopling the said countries, I have thought proper to accede to the favor which he solicits, in as far as it be not opposed to the laws of these my dominions, and communicated it to my council of Indies, for its fulfillment, in a royal order of 2d February last. Consequently, I command and charge you, by this, my royal cedula," [scroll] that, conforming to the laws which regulate in these affairs, and without prejudice to third persons, that you efficaciously aid the execution of the said grant, or favor, taking all the measures which may conduce to its due effect, as also to the augmentation of the population, agriculture, and commerce of the aforesaid possessions, giving account from time to time, of the progress made; for this is my will; and that notice be taken of this "cedula," in the accountant general's department of the Indies. Dated in Palace, 10th March, 1818. I, the King. It is rubricated, by order of the King, our Lord, Estavan Varea. It is rubricated—fees 240 reales of plate. [Here follow four lines.] Addressed.

From the same to the same, dated Madrid, June 1st, 1818. Extract.

He, Mr. Pizarro, then entered into the principal matters in question, and, firstly, spoke of the limits on the side of Florida. He concluded this subject by saying, that though the king, with a desire to accommodate himself to the views of the United States, had concluded to make the cession, and to make it as valuable as possible to the United States, as I had seen in the promptitude with which he had acted on my suggestion, and given orders to the council of Indies, relative to the late grants, (as particularly communicated to you in my private letter of May 14,) yet his majesty was fully aware, that the value of the public land in the territory to be ceded would be infinitely beyond what the United States could demand under the head of indemnities; hence, it was reasonable to expect, that the difference should be made up to him by concessions on the other side."

From the same to the same, dated Madrid, July 22d, 1818. Extract.

"The convention had scarcely been ratified, when I was alarmed by information which I received from a good source, that the king had rescinded the prohibition placed on the late grants of land in Florida, as communicated to you by my private letter of May 14. On this occasion, I wrote a confidential note to Mr. Pizarro, pointing out the evil to result from such a procedure. He replied to me in a way to tranquilize me, and to confirm my opinion of his good faith. Copies of that correspondence are herewith enclosed."

Copy—TRANSLATION FROM THE FRENCH.]  
Mr. Erving to Mr. Pizarro.—Private  
Miners, July 18, 1818.

Your excellency will recollect, that messrs. Alagon, Punon Rostro, and Vargas, were placed, by an office from the department of Indies, under certain provisions, relative to the lands given them by the king; those provisions were considered, by you and by me, as annulning the grants. On the importance of his measure, we are already agreed; now I am informed, that Mr. Vargas has

as might be most convenient to themselves; but that, finally, they must be paid out of the sale of the lands. Now, the king had lately given all those lands away, as I had duly informed my government; to complete the "transaction," it would, therefore, be absolutely necessary that the whole of those grants should be cancelled. Mr. Pizarro here held me a long discourse about sovereignty, territorial property, &c. &c. I told him that we had no difference of opinion about those distinctions, and the other matter connected with them, but that his error was in supposing that we meant to pay for the sovereignty only. We did not estimate so highly as he imagined; I enlarged very much upon whatever relates to these points, and brought him to consent that these grants might be cancelled, and indemnity given to the grantees in New Spain, or elsewhere: I say "brought him to consent"—I mean that he said enough to convince me that there will be no difficulty on this head. I am not so certain that I have induced him to send, by his courier, such instructions on it to Mr. Onis, as may render another reference to his government unnecessary; but I propose to see him again to-morrow, and to re-urge the matter."

From the same to the same, dated Madrid, May 14, 1818.

### EXTRACT.

In my late private letter (which was dated April 26,) I related to you what passed between Mr. Pizarro and myself, upon the subject of the grants of lands in Florida, lately made by the king, and I mentioned, that I should see him the day following, and endeavor to press my opinion on that point, in such way, as, if possible, to obtain that he might in advance instruct Mr. Onis in conformity to it. I saw him on the 27th, as I proposed, before the departure of his courier; whether I produced the desired effect, or not, I cannot positively say, but, immediately after, he wrote to the council of the Indies, in consequence of which the council sent orders to the duke of Alagon, and the count de Punon Rostro, directing them not to make sales of the lands granted to them: this fact, which I had received through a private channel, I ascertained yesterday in conversation with Mr. Pizarro. I cannot find that the council has written to the other grantee, Vargas, but Mr. Pizarro said, that it should have done so; be that as it may, all sales made by the grantees are, ab initio, void, by the laws of Indies; there are obligations, also, of a very onerous kind, imposed by these laws, on all grantees, calculated in fine to produce the objects which such grants have in view, viz. the population and cultivation of the territory. Obligations, which grantees of large tracts (under a prohibition to make sale) cannot possibly fulfil; less of all, such grantees, who, besides not having a cent, are overwhelmed in debt.

Yours, with much respect and esteem.

RECEIVED another office from the same department, (Indies) by which office the difficulty with regard to him is removed; that is, he is actually free to sell the lands in question, or to profit of them, (always in conformity to the laws,) as may best suit him. I know not whether messrs. Alagon and Punon Rostro have received similar offices; it is to be presumed. This news alarms me, because I foresee that this transaction will throw new difficulties in the way of negotiation at Washington. It is natural to expect that we should arrive at a state of harmony without a transaction which shall embrace all the points in the discussion: the cession of Florida must necessarily, an article in this transaction, and it is quite certain that the United States, in such case, cannot receive Florida as indemnity for its reclamations, if all the cessions to individuals, since the date of the convention. (1802) are not annulled; according to a statement I have just received, through an indirect channel, from Philadelphia, these reclamations may amount to the enormous sum of twenty-five million of piastres.

The office written to Mr. Vargas is, I am persuaded, unknown to you, and cannot have resulted from our late accord, relative to the convention, but your excellency will instantly perceive, that it will take that character or appearance, and do infinite mischief. I have already informed my government of what has passed between your excellency and me and relative to the affair of messrs. Alagon and Co. Ought I at present to think that every thing is changed since the ratification? I cannot too much lament the results. I yet hope that I may have been badly informed, relative to the fact in question, but I have my information from a person who is interested with Vargas, one to whom he had ceded a portion of his interest in the land before he received the first office; be it as it may, knowing your excellency is in good faith, and that the affair is worthy of your attention, I have thought it my duty to expose it to you.

Yours, with much respect and esteem.

### GEORGE W. ERVING.

[CONT.—TRANSLATED FROM THE FRENCH.]  
REPLY OF MR. PIZARRO.

SIR—I have just received your extract, addressed to you on the 25th of January last, of my first note, announcing my majesty's willingness to cede the Floridas to the United States. (The said grants having been made with a view to promote population, cultivation, and industry, and not with that of alienating them,) shall be declared null and void, in consideration of the grantees not having complied with the essential conditions of the cession, as has been the fact."

ferred to, of the United States and their citizens may be satisfied.

"From the answer of Don Jose Pizarro to this notice, we have reason to expect that you will be sensible of that necessity, and that some time may be agreed upon, subsequent to which, no grant of lands within the territories in question shall be considered as valid."

Extract of a letter from Don Luis de Onis to the Secretary of State, dated Washington, 16th Nov. 1818.

### TRANSLATION.

"My second proposal has been admitted by your government, with this modification, that all grants and sales of land made by his catholic majesty, or by lawful Spanish authorities, in the Floridas, from the year 1802 to the present shall be null and void. To this modification in its absolute sense, I cannot assent, inasmuch as it is offensive to the dignity and imprescriptible rights of the crown of Spain, which, as the legitimate owner of both the Floridas, had a right to dispose of those lands as it pleased. And, further, as the said modification would be productive of incalculable injury to the bona fide possessors, who have acquired, settled, and improved those tracts of land.

"The extent of what I can agree to is, that the late grants made by his majesty in the Floridas, since the 24th of January last, the date of my first note, announcing his majesty's willingness to cede them to the United States, (the said grants having been made with a view to promote population, cultivation, and industry, and not with that of alienating them,) shall be declared null and void, in consideration of the grantees not having complied with the essential conditions of the cession, as has been the fact."

### Mrs. E. Jones,

GRATEFUL for the encouragement she has hitherto received from her friends and the public in general, informs them that she has recommended her SCHOOL in the frame house on Limestone-street, formerly occupied by Joseph Postlethwait; where she hopes, by her attention, to merit a continuance of their patronage.

November 25th, 1819—45-3t

### 250 Dollars Reward.

At a meeting of the Board of Trustees of the town of Lexington, on the 25th day of November, 1819,

WHEREAS, it is represented to the board of Trustees, of the town of Lexington, that several houses in the town have most probably been burned by design. Therefore, Resolved, that a reward of TWO HUNDRED AND FIFTY DOLLARS, shall be given out of the Town Treasury, to the person who may discover and bring to conviction, the incendiary who may have in any instance, criminally set fire to any building in said town.

By order of the Board,

A copy. Attest,

H. B. SMITH, clerk.

December 3d, 1819—49-3t

### AUCTION NOTICE.

#### Charles Edwards,

INFORMS his friends and the public, that he will attend to Sales at Auction, (on his own account,) of Real and Personal Estates, Merchandise, Bank Stock, &c. and solicits a share of public patronage, which by his attention to the interests of his employers he will endeavor to merit. Apply to him at the Store of Messrs. Shreve & Combs, where all orders will meet prompt attention.

CHARLES EDWARDS, Auctioneer.

September 1—36-3m

### Preparatory School,

FOR YOUTH OF BOTH SEXES.

WILL be opened on Monday the 13th instant, in the house next Mr. Stephen Chipley's on Limestone-street.

The subscriber feels diffident in undertaking the higher branches of tuition, but thinks he may confidently promise to those parents who may trust their children to his care, faithfully to teach them the rudiments of an useful education.

An EVENING SCHOOL will commence at 6 o'clock.

ABRAHAM CARTER.

Reference to Dr. C. W. Cloud.

Lex. Dec. 6, 1819.

### For Sale,

THE FARM on which I live, three miles from Lexington, on the Henry's Mill road, between

81 and 83 Acres of land,

In good repair and fences, well watered, and excellent garden; out houses, dairy and spring house, and a highly finished Dwelling House, with a pump of good water close to it. I wish to sell said Farm with the crops of Wheat, Oats, Corn and Hay, and all my Stock of Horses, Cattle, Sheep, Hogs and Poultry; Household and Kitchen Furniture, and all the farming and garden utensils. Apply to the subscriber on the premises.

A. GIRAUD.

December 3.—46-3t

### Woodford County, Sct.

TAKEN UP by John Graves, of said county, living near Clear creek Meeting-house, a SORREL HORSE, supposed to be 9 or 10 years old, about 14 hands high, a pair of old shoes on before; blaze face, and roached, some saddle spots, no brands perceived—appraised to 25 dollars before me this 7th day of June, 1819.

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## Kentucky Gazette.

THREE DOLLARS PER ANNUM—IN ADVANCE.

LEXINGTON:FRIDAY, DECEMBER 31.

### PUBLIC NOTICE.

THE Subscribers have determined to deline selling BOOKS and STATIONARY on CREDIT in future. To avoid the sacrifice of feeling which will be made by a personal refusal, they confidently trust that no person will make application for credit after the appearance of this advertisement. Were it necessary to assign a reason for adopting this measure, they would state, that the extensive credits which they have heretofore given, and the great want of punctuality on the part of those credited, have already involved them in considerable difficulties. They have but two alternatives, either to decline crediting, or to give up business.

James W. Palmer,  
Wm. W. Worsley.

Lexington, Ky. December 28, 1819—53

### THE STATE LINE.

On Wednesday last the house of representatives were engaged the whole day in discussing a bill for the adjustment of the boundary line between this state and Tennessee. What has been its fate we cannot tell. If the bill shall have passed in the shape in which it was engrossed for a third reading, it provides for the appointment of commissioners to meet those from Tennessee, retaining to the legislature the power of supervising their acts and agreements relative to the adjustment of the private claims in the disputed territory.

We fear there will be so many clogs tacked to our commissioners, that they will not be met by their adversaries, who are delegated with powers of a plenipotentiary character. There is something in the business we cannot comprehend, which occasions the difficulties alluded to—and we heartily hope it may not be speculation in head rights, &c. &c. &c.

From all the evidence which has yet been developed, nothing appears to vary the line from 36° 30' north latitude. The same impression exists generally, and why it is that any impediments are thrown in the way of a speedy arrangement is beyond our divination.

### EXTRACT TO THE EDITORS, DATED

Frankfort, December 29.

On Monday last a quorum of either house did not attend. In the evening of that day, the members who had gone to their homes, commenced returning. It is believed no new sentiment concerning relief has been brought back with them. The friends of the wise and feeling measures which may be the result of the future labors of the general assembly, tending to the great object in view, anticipated the clamors of monied barbers and pecuniary leeches. It is this description of the community who always hold themselves in readiness to pounce upon the unfortunate—and make wretched victims of the poor and honest. Their conduct in this respect is impelled by gripping avarice, and consecrated in their own circles, by a wretched and cold-hearted perversity of nature—such as is wholly inconsistent with the genius of our republican government. In some sections of the commonwealth, these people may vaunt and gasconade for a season. Time, however, will correct their errors—for truth, virtue and humanity are principles which will prevail in every enlightened community.

The temporary law that has passed is gaining popularity in every direction. The suspension for even sixty days will be found to be of great public utility. It is true some little feeling has been excited in different parts of the state by pseudo and pragmatick politicians, and rich and mercenary creditors. Bustle and noise, however, among this description of citizens will have no effect upon the active friends of the law, and of the more extensive measures to which it is lead.

The Senate have not yet been able to form a quorum since the recess. Perhaps one will appear to-day.

### EXTRACT TO THE EDITORS,

dated Frankfort, December 30.

The permanent measure of relief is not yet settled upon. The property law and a suspension of specie payments is principally spoken of. The senate have not yet formed a quorum this week.

For the Kentucky Gazette.

THE SIXTY DAYS STOP LAW Has been passed by the legislature of Kentucky, notwithstanding the objections of the executive. Those objections were based principally upon the unconstitutionality of the measure. If those objections were unfounded, the legislature certainly had the right (a constitution & majority concurring) to adopt the measure.

It is however, the purpose of this

sketch to shew, that the law is not warranted by the constitution, and that the legislature had no power to adopt it.

The first section of the first article of the constitution provides, that "the powers of the government of the state of Kentucky, shall be divided into three distinct departments, and each of them be confided to a separate body of magistracy, to wit: Those which are legislative to one; those which are executive to another, and those which are judiciary to another." And that each department might be confined within its proper sphere, the second section provides, that "no person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others." It would seem that the judiciary was created at the same time, by the same power, and under the same authority with the legislature, and as a department of government, entitled to equal rank, and equal consideration; having "powers properly belonging" to it, beyond the control of the other. At the time of the adoption of the new constitution, there was a system of jurisprudence existing in the country, established by law—and the first section of the schedule to the constitution provides, that all laws in force at that time, and not inconsistent therewith, should continue as though the same had not been made; and that those in office should continue in the exercise of their duties. It may then be taken for granted that the judiciary is a part of the government—that the courts constituting that judiciary are made creatures of the constitution, although they may be to a certain extent, subject to the regulations of the legislature.

The constitution in relation to the judiciary, provides that courts shall exist, be kept open, &c. Let us enquire what constitutes a court:—Sir William Blackstone in his commentaries upon the laws of England, (and that the common law definition is the only legitimate one, none will question) in vol. 3, p. 25, says, "In every court, there must be at least three constituent parts—the actor, reus, and judex. The actor or plaintiff, who complains of an injury done; the reus or defendant, who is called upon to make satisfaction for it; and the judex, or judicial power, which is to examine the truth of the fact; to determine, and if any injury appears to have been done, to ascertain and by its officers apply the remedy." Is it not then power, properly belonging to the judicial department of government, to hear, to determine, and when an injury has been done, to apply the remedy, by carrying such determination into execution? Is it not a power incident to, and inseparable from a court? Can it be said, that any tribunal is a court, that does not possess, as well the power to apply the remedy, as to enquire into and ascertain the right? Of what is the judicial power composed? A right to hear, to determine, and to enforce that determination. It would be absurd to call that a court, which did not possess the one as well as the other. Is it not then plain and apparent, that the execution of the judgment or decree of a court (when made) properly belongs to the judicial department of government, and with which the legislative department has no right to interfere? If it be not a power properly belonging to it, what power does? May not the legislature as well take upon themselves to hear the controversy of the parties, as to supersede the execution of the judgment?—May they not as well determine a cause, and say what shall be done, as to say what shall not be done, after it has been adjudicated upon by the proper authority.

But a right is claimed for the legislature, under the 14th section of the 10th article of the constitution, to suspend laws. Any one who is at all acquainted with the history of the country and government, whence we derived our existence and most of our laws, must know, that the section under which the authority is claimed, was inserted, to guard against the exercise of that authority, by the executive department of the government. "No power of suspending laws shall be exercised, except by the legislature or its authority," was perhaps, borrowed from Magna Charta.

The kings of England, were in the constant habit of suspending the operations of the acts of parliament, as well as writs of Habeas Corpus; and the dangerous exercise of both of these prerogatives, has been very cautiously guarded against by our constitution. The legislature has a right to suspend laws—to repeal laws; but it has not the right to repeal the judiciary of powers properly belonging to it. It has not the power to repeal those laws, necessary to the existence of the judiciary. If so, it may destroy an essential component part of the government, and thereby constitutionally destroy the government itself.

The right to suspend laws, does not necessarily carry along with it the right to suspend or supersede the judgements of the judiciary. The law is one thing, and the judgement of a court is another. The judgement of a court is an expression of the law, upon a case that has occurred, and it is an expression of the law that may exist at the time of the rendition of the judgement. Laws that are made to reach a case that has already occurred, and been adjudicated upon, must in their very nature be retrospective; and if a case of contract, they may impair the obligation of such contract.

For, "the existing laws, at the time of

making a contract, constitute a part of that contract," and its highest consummation is the execution of a judgement renounced upon it. The constitution further provides, that there shall be no law impairing the obligation of contracts. If the legislature can stay proceedings under judgements of the judiciary, may they not declare void, proceedings already had under the judgments of the judiciary? If so, then indeed is the legislature omnipotent. All causes of a criminal or civil nature, are subject to their ultimate decision and execution. By saying to a court—You shall no further proceed in a cause, they adjudicate upon laws they have made: a power from which, they are expressly inhibited.

It is contended that the 13th section of the 10th article means nothing. "All

courts shall be open, and every person for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law; and that right & justice shall be administered, without delay, or denial of delay," seems to signify a great deal. It was not intended that judges should be always sitting; and in such numbers, as momentarily to hear, determine, and to carry into execution, every case that might arise, and be presented to them. If it were attempted, it might safely be said that justice would not be the consequence. Nothing more than a plain common sense construction can be put upon this section. When there is a right, it insures the remedy "by due course of law." The great object of the government being to prevent wrongs, and redress grievances, through the channels of the judiciary, it requires that that channel shall not be closed; & that a passage through it, shall not be delayed. If the legislature has constitutionally the power to suspend the operations of the courts for sixty days, they may as well suspend them forever; for with a power possessing such omnipotence, "time is an eternal now."

The measure is further justified, upon precedents furnished by other states. In matters of mere property they might be entitled to some weight; but precedent can never authorise the doing of any thing which is wrong in itself. If it were, there are no crimes that would not be abundantly supported. If other states have been either so corrupt or so ignorant as to violate their constitutions, to make them yield to times and circumstances; by a strict adherence to our part, we shall be entitled to a rank and dignity still the more eminent.

Lastly, it is said that if this be, there are other laws upon our statute book, which are unconstitutional;—granted. And is each successive legislature to be justified in a violation of the constitution, because of violations by their predecessors? If each successive legislature are to be thus justified, and shall go on in the work they have unhappily begun, a very few years will find us without any settled form of government—in a state of anarchy and confusion. Whenever we lose *the last vestige of the sacred anchor of our liberties*, the brightest hopes of happiness, with social order, and social harmony, have vanished.

The times!—oh! the extraordinary state of affairs, will justify almost any course! For what was the constitution of the country created? In what does its great value exist? To be a rule of government; and in being at all times, and under all circumstances, the same. If it were intended to yield to times or circumstances, why adopt it? Why place around us barriers, and swear us not to overstep them. If the constitution of country be found insufficient for the great purposes of government; let us in the manner agreed upon, alter, reform, or abolish it. But in the name of liberty, let every one who regards the well being of society, or the situation of property, disown the violation of that "last best hope of human happiness."

HAMPDEN.

FOR THE KENTUCKY GAZETTE.

### No. II.

That the Farmers' and Mechanics' Bank of Lexington has been greatly beneficial to some of the stockholders—the favoured and fortunate few, who have directed its operations)—there can be no doubt. But that the course of business pursued by that institution, has been as injurious to the many, as it has been profitable to the few, is equally obvious.

Many individuals who took stock in this bank, and borrowed money from it, after it went into operation, upon a pledge of their stock, have been pressed by the bank for payment till they have been compelled to appear the inordinate cravings of this voracious institution, by a sacrifice of all their interest in it. The bank lends to a needy shareholder, upon a pledge of his stock, and then, by pressing him beyond his ability otherwise to pay, compels him to relinquish the stock, in payment of the debt. In this manner the bank itself, being a *harrow in law*, comes to be a *large stockholder in itself*; and is *itself* owned, with all its stock, by a few men of immense wealth, who manage and control it, for the purpose of increasing their fortunes, and destroying their power. Thus does there exist, in the very heart of this young republic, a powerful monied aristocracy, established by law, and strengthened by policy; sagacious, grasping, and ambitious in the extreme—which, if it be not destroyed, by the same mighty hand that gave it existence, will at no very distant period, *paralyze that hand, by enslaving the people*.

This corporation, having got possession of nearly all the stock of the smaller shareholders, and by a very artful and profitable policy, effected the destruction of most of the less powerful independent Banks, may now, if not restrained in some way by the legislature, enjoy

an almost exclusive monopoly of the money transactions of the country.

If one legislature, actuated either by mistaken or corrupt views, has *chartered away* a portion of the *sovereignty* of the people; let another, discovering the deception, or the fraud, without hesitation, give back to them that portion of their sovereignty, of which they have been so unjustly deprived; and solemnly warn them against such dangerous encroachments upon their rights and liberties in future. Let it be remembered, that no law can be just, which puts it in the power of the *few to lord it over the many*—that laws are made for the benefit of the people, and not the people for the benefit of the law—and that all laws, however solemnly enacted, which do not tend to promote the happiness, and the security of the rights and liberties of the people, ought to be repealed—"Sicut populi suprem lex" ("as the good of the people is the supreme law.") This was the last law of the Roman Twelve Tables, and ought to be considered as a fundamental maxim in the government of every republic.

GRACCHUS.

From the Georgian.

Savannah, Nov. 22

### TRANSYLVANIA UNIVERSITY.

Our attention has been very forcibly drawn to this Institution by an advertisement of the board of managers, which we, a few days since, inserted in this paper.

In any country but ours, the existence of a University, like that of Kentucky, is always an evidence of an aged and venerable society; but they are found here in infant communities. In other communities the blooms of science, (like those of the Aloe tree) require an hundred years to put forth; but whether the scions of literature are fostered with unusual care in the West, or whether the climate and soil are favorable to the growth of vegetation, certain it is that that country has anticipated a century in its advancement in civilization and learning, if we speak of it in comparison with trans-atlantic countries.

We believe that the addition of a *Medical School* to a University, is indicative of the highest step in the march of an academic institution—and this is the cause of our admiration, that a *Medical School*, upon the most ample and respectable basis, is now attached to the *Transyvania University*, of Lexington. The different *Professorships*, are filled with the first abilities and learning of the United States, and will bear a comparison with the New-York and Philadelphia medical schools—we refer to the names of the *Professors*. It requires no prophetic skill to foresee that this medical school will be thronged with students in a few years, from almost every part of the Union. It will attract all the medical students from the states and territories along the Ohio, Mississippi and Missouri, because most contiguous to them: It will draw them all from this side of the Appalachian mountains, and we believe from far beyond them, because the price of living at Lexington is cheaper by more than half, than it is at Philadelphia or New-York, and because the average health of Lexington throughout the year, is better than it is in either of the above named cities. Besides Lexington can compare with them in its society. There "the learned, the gay, the witty and the grave," can find congenial spirits. The population is large; the style of living magnificent among the devotees of the beau monde; and to a limited extent, the architectural elegance of the buildings is not surpassed upon an average, by the Eastern cities. We have remarked paragraphs of admiration which have filled the newspapers, when it has been discovered that a new town has sprung up in the *wilderness*—as if by a stroke of enchantment! Now we feel much more admiration when we behold the rapid advancement of young societies in literature. The sudden upspringing of a town on the banks of the Wabash, is the mere result of *avarice and self-interest*. It is nothing strange that the owners of lots are all in a hurry to get up their houses and rush into lucrative business—avarice spurs them on and it is the *stroke of enchantment* that has erected so many towns. But this perpetual stimulus of interested motives does not operate in the promotion of the cause of *SCIENCE*—here reason and judgment allure, there sordid passions impel to action. Therefore (we repeat) our admiration is much greater when we witness, as we now do, those gigantic strides of science in the western country, than when we are told a town is just established at Boon's Lick, which a few years ago was a howling wilderness. Let British reviewers ridicule our *literary productions*—they may, with one, two, three or four exceptions, deserve it. But we beg them to say what change have we had, since the revolution, to make any progress in literature? What could be expected of a people who have been perpetually engaged in subduing savages; hewing down forests; preparing the rank earth for agriculture; building up great cities from their foundations; constructing our immense tonnage of shipping for commerce—in short, making *out and out*, as it were, the whole of the vast and complicated machinery of society—in other words, making a country in 40 years out of trees, canebrakes and rocks. Is it fair for Old Madam England to boast that she is more highly embellished and accomplished than our young rustic damsel of the mountains, *Columbia*? Certainly she could not do it if she would but remark, that she is growing abominably *wrinkled and decayed*, while our buxom Goddess is young, rosy, and plump and still growing like a pumpkin vine.

### Kentucky Legislature.

[REPORTED FOR THE KENTUCKY GAZETTE.]

TUESDAY, DECEMBER 28.

A quorum having this morning appeared, the house proceeded to business.

Mr. Underwood, from the committee of Counts of Justice, made a lengthy and able report on the subject of the boundary line between this state and Tennessee. A detailed history of the grants from the crown of England was given

now stands ought to be repealed for various reasons. The principal grounds he took were—that it had not operated with any effect—that men of feeling could not be restrained by penalties, when an injury was to be redressed—that the law permits men to insult others, and then they fly to its protection. He should vote against the motion for these reasons, in addition to the belief that the existing act was unconstitutional.

The question was then taken, and decided in the affirmative.—Yea 48, Nay 10.

Mr. Underwood communicated to the house information he had received that large sums of the paper of the bank of Kentucky, were about to be sent from Missouri in order to drain the specie therefor—and offered a joint resolution, the object of which is a pledge on the part of the general assembly to sustain the bank and its branches in any measure they may adopt to discontinue specie payments. The resolution of course lies on the table one day.

And then the house adjourned.

### AN ACT

To suspend sales under executions and decrees of Courts, for sixty days.

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no sale shall be made for sixty days from the passage of this act, of property taken under any execution which has issued, or may issue, on the judgment or decree of any court, or justice of the peace, or on any replevy bond, forthcoming bond, or bond given on the purchase of property under execution, nor any bond given under the provision of the laws concerning occupying claimants of land: *Provided*, the defendant, in case moveable property be taken in execution, shall enter into bond with one or more sufficient securities, to be approved by the officer so having the property under execution, for the delivery of said property on the day and place of sale, which shall be fixed by such officer, on some day, not less than one, nor more than twenty days after the expiration of the sixty days herein mentioned; which bond, if not complied with, shall be returned by the officer, and have the same force and effect as delivery bonds, taken under the laws now in force.

Mr. Butler moved to lay the report and bill on the table for the present, and assigned a variety of reasons therefor. Mr. Underwood opposed the motion with a view to act on the subject with dispatch. Mr. R. Wickliffe followed on the same side, each of the last gentlemen preferring referring the bill to a committee of the whole for to day. Mr. W. did not wish the report and bill printed. The house was acting in the dark as to the sentiments of Tennessee. He, for one, should, when the matter was referred to committee of the whole, be for discussing it with closed doors.

Mr. Hays hoped the motion to lay the report on the table would prevail. He thought a compact between the two states could not be entered into without the consent of congress. Caution should be observed on such an occasion. As to investigating the business with closed doors, he was wholly opposed to such a course. The house should act more magnanimously. Mr. H. enforced his positions in a speech of some length.

Mr. Butler proposed to modify his motion, so that the bill alone should be printed, and that it be committed for tomorrow, and urged several reasons why he preferred it. Friday was named by another member. Mr. Underwood moved for its being committed to day.

The question being put by the Speaker on each day, to-morrow was decided upon—and the bill ordered to be printed, as well as that from the senate.

Mr. R. Wickliffe moved that when the house go into committee of the whole to-morrow on the foregoing bill, they act with closed doors.

The motion was supported by Messrs. R. Wickliffe, Long and Worthington—and opposed by Messrs. Hays and J. Emmerson. The motion was negatived. Ayes 19—Nays 29.

Mr. Denny obtained leave to bring in a bill to amend the laws relative to civil proceedings. Referred to the committee of courts of justice.

Mr. R. Wickliffe asked for and obtained leave for the committee on the education of youth to make further report. The engrossed bill to regulate the damages on protested bills of exchange,

## CONGRESS.

### HOUSE OF REPRESENTATIVES.

WEDNESDAY, DECEMBER 15.

Mr. Herrick offered for consideration, the following resolution:

"Resolved, That the committee on military affairs be instructed to enquire into the expediency of establishing by law an additional national army, and also into the expediency of locating the same on the Muskingum river, at the town of Zanesville, in the state of Ohio."

On motion of Mr. Lowndes, in order to leave the enquiry in its broadest shape, and to make it wholly unobjectionable, the resolution was amended by striking out the words in *Italics*; and, thus amended, the resolution was agreed to.

On motion of Mr. Morton, it was

Resolved, That the committee of ways and means be instructed to enquire whether, in any case, further time, than is already prescribed by law, ought to be allowed for the redemption of lands sold for direct taxes, and purchased, pursuant to law, for and in behalf of the United States.

RESTRICTION ON SLAVERY.

On motion of Mr. Taylor of New York,

The house proceeded to the consideration of the resolution yesterday offered by him, in the words following, to wit:

Resolved, that a committee be appointed to enquire into the expediency of prohibiting by law the introduction of slaves into the territories of the United States west of the Mississippi.

Mr. Taylor said it was not his purpose to go into any discussion of the merits of this proposition; nor, he believed, would any discussion assist the ends he had in view. If a compromise of opposite opinions was to be effected, it appeared to him better that a committee should be appointed to examine into it, and make their report; and that the question should not be moved in this house, until that committee should have expended their best efforts on this object.

The question was then taken, without debate, on agreeing to the resolution, and decided in the affirmative, without a division. A committee of seven members was ordered to be appointed accordingly.

Mr. Taylor then moved to postpone, until the first Monday in February next, the order of the day on the bill authorizing a convention of the People of Missouri, for the purpose of forming a constitution and state government.

Mr. Scott, delegate from Missouri, said he hoped that the proposition to postpone till the first Monday of February, would not succeed. It was of vast importance to the people of Missouri that an immediate decision should be made on this question. If the bill passed at an early day, the people would then have time to meet in convention, form their constitution, organize their government, elect members to a general assembly, on whom it would devolve to choose senators to the congress of the United States. If, on the other hand, the bill ultimately was lost, it was equally necessary that the people should be soon apprized of its failure, that they might have time to act for themselves, and frame a form of government, which he was convinced they would do, without waiting to again apply to Congress for the mere means of organization. The resolution which had been adopted furnished no good reason for the postponement—because it only proposed an enquiry into the expediency of the measure in relation to the territories, and could not control the constitutional enquiry, and right of the people of Missouri to form their constitution as a state.

And on the question, the order of the day on the Missouri bill was postponed to the second Monday in January.

Mr. Sergeant, from the committee on the judiciary, reported a bill for establishing an uniform system of bankruptcy throughout the United States; which was twice read and committed.

VIRGINIA—THOMAS MANN RANDOLPH was, on Friday last, elected Governor of the State of Virginia for the ensuing year. BURWELL BASSETT and LYNN BANKS, were also in nomination.

MARYLAND—SAM. SPRIGG, of Prince George county, is elected Governor of the state of Maryland, for the ensuing year.

Edward Lloyd and William Pinkney are elected Senators in Congress from the same state.

The notorious swindler, Goodwin, alias Goodman, alias Goodhue, sometime described in the Baltimore papers, was arrested at Havana early in November. He had presented forged letters of credit, and negotiated bills to a considerable amount upon Wm. Gray of Boston, upon Goodhue & Co. of New York—and had embarked for the United States, with his ill-gotten booty, which was seized with his person, and restored to the dupe who had purchased his drafts.—*Pat. Paph.*

From the St. Louis Enquirer.

The Island of Cuba—Is 700 miles in length, and 70 in breadth. It has a superficial content of 49,000 square miles, which is equal to the size of England and Wales put together. It lies in the mouth of the gulf of Mexico, stretching from east to west. A range of mountains runs through it in the same direction. Although situated within the tropics, the breezes from the sea and the height of the mountains give it a healthy climate, and make it a very delightful residence.

The population of the island is 350,000 souls.

Its chief production is coffee, of which it could raise immense supply, but the indolent Spaniards have not put the hundredth acre under cultivation.

In the west end of the island, facing inwards towards the gulf, is the port and city of the Havana.

The port is one of the finest in the world, capable of containing a thousand ships at once, and so narrow at the entrance, that not more than one can enter at a time.

The city contains a population of 25,000 souls.

This noble island was one of the first discoveries of Christopher Columbus, who took possession of it for the crown of Spain, to which it has since belonged, with the exception of a short period in 1762-3, when it was captured by the British. In the approaching wreck of all the Spanish dominion in the new world, the island of Cuba must find a new master. Too weak for self government, it cannot pretend to independence. Mexico, on becoming free, cannot take it for want of a naval force. The United States as the chief power upon the gulf of which it is the key, have a natural right to it; and England without any right to it whatever, openly manifests her disposition to seize it for the express purpose of annoying the United States, and taking to herself the produce of the Mexican mines.—Woe to the administration which should suffer this calamity to fall upon the people of the west! Then would the mouth of the Mississippi be closed up at the pleasure of an English captain! Then would the produce of the west lie and rot upon the hands of its inhabitants! Then would our deadly enemy have taken a position on our flank to apply at his leisure the lever of separation between the Atlantic states!—In the hands of the United States all these calamities would be avoided. The Havana would become a principal station for the Republican fleet, and a link in the chain of union between the east and west: it would give protection to the commerce of the Mississippi, and command that of the empire of Mexico. The island of Cuba would furnish coffee, the only necessary life which is not raised in some part of our territories. The mines of Mexico would give us at the same time gold and silver to replenish our exhausted banks, and leave but little to dread or wish for from the powers of Europe.

From the *National Intelligencer*.

### MEMORANDA FOR FINANCES.

EXPORTS IN 1818.

Domestic produce, \$68,000,000.

Foreign, 19,000,000.

Specie, 12,000,000.

Stocks, 6,000,000.

\$105,000,000

EXPORTS IN 1820.

(a) Domestic, \$50,000,000.

(b) Foreign, 6,000,000.

(c) Specie, 2,000,000.

(d) Stocks, 3,000,000.

\$60,000,000

The disturbed state of Great Britain will cause an impatience to secure property and by emigrants.

There will not be a return of goods equal to 60 millions, unless in consequence of alarm in Great Britain; for interest must be paid on 50 millions of stocks held abroad, and debts liquidated by individuals for former importations, and the expences of our navy abroad paid.

By this estimate, the duties must diminish one-third.

Already burnt rye is used for coffee, and consumption of sugar, wine, &c. diminishes; and also production diminishes as workmen are dismissed for want of money to employ them.

Suppose 10,000 workmen driven, part to idleness and crime, and part to cultivate the western country, to increase products already superabundant:

100,000 men, at a \$1 per diem, 300 days,

\$30,000,000 lost.

QUESTIONS.

How are appropriations to be met?

How are 30 millions in England, or U. S. stock to be redeemed?

How is the emigration from America, just commenced, to be stopped?

How is industry, the cause of wealth to every nation, to be promoted?

How is usury to be diminished?

How are sacrifices of property to be prevented?

II.

(a) This, I fear, is estimated too high. The price of exports has fallen one-third, and meat and flour excluded from England.

(b) Foreign exports, viz: of tea, &c. reduced by diminution of imports.

(c) Little specie in the country to send.

(d) Not much more funded debt due.

FROM THE ARGUS.

AUDITOR'S REPORT ABRIDGED.

Received at the Treasury during the year ending Nov. 10th, 1819. \$181,248 10 Paid at the Treasury during the same period, 163,904 28

Excess of receipts over expenditures, 17,343 82

Add the balance in the treasury, November 10th, 1818, 35,640 70

Which makes the balance in the treasury, November 10th, 1819, 53,934 52

There was due to the government on that day, 44,704 15

There was due from the government on that day, including 49,182 30 due the Internal navigation fund not appropriated, 62,299 75

Probable expenditures of the present year, 109,180 63

Probable receipts including the amount by law devoted to Internal Navigation, and the amount in the treasury on the 10th November last, 186,650 02

PENITENTIARY.

Agent's receipts to the Keeper from October 1st, 1818, to Oct. 1st, 1819.

Expenses of raw materials, salaries, diet, fuel, &c. &c.

Nett profit, 31,701 65

Debt due the keeper and money paid out during the last year, 29,727 78

2,974 07

Leaving to the keeper, 4,000 22

Debts due the state from the Penitentiary for loans, &c. Paid into the treasury during the last year, 21,914 00

20,230 00

Still due the state, 21,353 09

Raw materials on hand, 6,017 31

Amount of sales for the last year, 30,219 00

Debts and manufactured articles in the hands of the agent, 63,400 77

Balance in favor of the institution, 33,108 13

Amount which the Penitentiary has received from the treasury more than it has paid in during the past year, 1,684 00

EDUCATION.

James Logue.

BESPECTFULLY informs the public, that he will re-open his Academy on Monday next.

At the commencement of last session, he was constrained, at the pressing solicitation of numerous applicants, to take a larger number than he desired. At present it is his intention to limit his School to a small and select number—parents, therefore, desirous of placing their children under his care, are requested to make immediate application.

MR. PINKARD.

Will at the same time and place, open a School for the education of a small and select number of boys, at the rate of 25 dollars per annum.

Those unacquainted with Mr. P. are referred to Dr. Boswell or Mr. Logue, for information respecting his qualifications.

53-31 December 30.

FEMALE SCHOOL.

THE Subscriber respectfully informs the people of Lexington, that he will open a School for Young Ladies on Monday the 3d of January, 1820, in the house on Mill-street, adjoining Mr. W. D. Hill's Inn. He will teach Reading, Writing, Arithmetic, English Grammar, Geography, History and Surveying.

Particular attention will be paid to the morals of those ladies placed under his care.

Terms of tuition made known at the School Room.

Catalogue of the Atheneum of Boston, with a

Memor of the Institution and the Act of Incorporation, 8vo. Presented by W. S. Shaw, Esq. Librarian.

Marshall's History of Kentucky, the first volume, 8vo. Frankfurt, 1812. Presented by Mr. Standish Ford.

A Last Appeal to the Market Street Presbyterian Church, &c. in seven Sermons; by James M'Chord, A. M. 8vo. Lexington, 1818. Presented by Mr. T. M. Prentiss.

Don Vincente Pazos's Letters on South America. Presented by Thos. W. Hawkins, Esq. Home's Three Trials, with the publishing three Parades, &c. 8vo. 1811. Presented by W. W. Worley, Esq.

The speech of Jesse Bledsoe, Esq. on the Resolutions proposed by him, concerning Banks, delivered in the Senate of Kentucky, at the annual session of 1818. Presented by the publishers, Messrs. Norwell & Cavan.

Wieland's Oberon, 2 vols. 12mo. Presented

Lexington Property Guards.

The members of the above company are notified, that a stated meeting will be held at Luke Usher's, on Monday evening next, at 7 o'clock.

Persons wishing to be admitted, will please hand their names to any one of the members.

M. J. NOUVEL, Sec.

December 31.

COTILLION PARTY.

THE third Cotillion Party will take

place on THIS EVENING, December 31st, at Mr. Giron's Ball room, where a general attendance of the ladies is requested.

By order of the Managers.

Broken Banks!!

THE subscriber informs the public, that he

will receive in payment of debts due him, and for BOOKS and STATIONERY, at a small discount, Notes on the following Banks, viz: Georgetown, Burlington, Barboursville, Greenbush, Somersett, and Nicholasville, the State Bank of Tennessee and Nashville Bank, and their respective branches.

That Bolivar may have been defeated, we do not doubt, but the celerity of Samano's movements, and his having so

speedily collected together such a large body of men, is rather questionable, for we recollect that captain Leon, of the

schr. Admiral Dilkert, who arrived

in time to a conspiracy and acquitted. Lord

Cochrane had offered eight Spaniards for

each British officer, and fifteen for Col.

Rafter and ten for Mr. Moore.

Curacao, Nov. 13.

Private letters received here from different parts of the Spanish Main, agree in stating that Bolivar had been defeated in two actions by the troops of the King, and that the Viceroy, Samano



THE KENTUCKY GAZETTE.

To Miss \*\*\*\*\*

OF THE COUNTY OF ROCK-CASTLE, KENTUCKY.  
O, turn on me that speaking eye,  
With soft and humid luster beaming,  
Pure as the stars of yonder sky,  
In mild and silver radiance streaming.

O charm me with that witching wile,  
Graceful, thy op'ning lips adorning,  
Which seem diffused with beauty's smile  
Twin rose buds in an April morning.

Lovely that smile, as orient dawn;  
"Sigh gleaming through springs genial show-  
ers."  
"That wandering o'er the fragrant lawn"  
Wake into life the infant flowers.

How sweet, how delicately bright  
The vermeil hue thy cheeks disclose,  
Like flushes of reflected light,  
From fragrant beds of blooming roses.

How fair that sylph-like form of thine,  
In every youthful charm excelling;  
Where symmetry hath chos' her shrine,  
And beauty's self her graceful dwelling!

How sweet thy voice of bland delight;  
Soft on the vernal gale ascending,  
Where melody and love unite  
In rapture's tenderest accents blending!

But ah! thy heart, so pure, so kind,  
With gentler joy my soul entrances,  
When the full image of thy mind,  
Is pictured in the meaning glances.

Then turn on me that speaking eye,  
With soft and humid luster beaming,  
Bright as the stars in yonder sky,  
In mild and silver radiance streaming.

C. Y. LAD.

To the citizens of Lexington.  
TAKE NOTICE,

A N ELECTION will be held at the Court House in Lexington, on Saturday the first day of January next, for eleven Trustees to serve during the year 1820. Polls to be opened at 10 o'clock, A. M.

By order of the Board,

H. B. SMITH, clerk.

Nov. 10—50

Dancing Academy.

JOHN DARRAC,

Professor of Dancing.)

RESPECTFULLY informs the ladies and Gentlemen of Lexington and its vicinity, that he will commence a new quarter on THIS DAY, 26th inst.

Persons desirous of being instructed, are requested to make immediate application to him.

John Darrac.

Nov. 26, 1819—48-6.

Elegant Carpeting.

Just received and for sale at the Store of T. E. BOSWELL & CO.

Brussels & Scotch Carpetings, which they offer at a very reduced price.

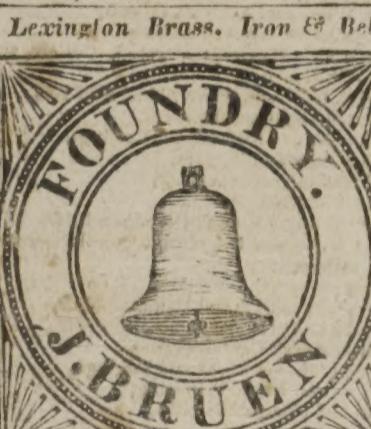
Jan. 1, 1820-ff

Keel Boats.

THE subscriber having established a BOAT YARD, on the Kentucky river, at the mouth of Quicksand, intends keeping on hand KEEL BOATS of every description. Application to Col. Richard Taylor, at Frankfort, or Mr. B. Lanphier, at Lexington, will be attended to by me.

ISAAC D. SCOFIELD.

Dec. 17, 1819—51-3m



CONTINUES to carry on the FOUNDERING BUSINESS, in the town of Lexington, second door below the Theatre, Water street, where all kinds of

Brass and Iron Work for Machinery &c.

May be had on the shortest notice. Also, will be kept on hand BELLS for Taverns, Houses and Horses; refined Wagon, Carriage and Gigg BOXES; Hatters, Tailor's and FLAT IRONS; Scale Weights and Wofle IRONS; Gun Mountings and Clock Castings; Rivets and Still Cocks, with many other articles too tedious to mention.

Lexington, June 18, 1819—25-ff

Fayette county, Set.

TAKEN up by Edward Turner, on South Elkhorn, an old BLACK HORSE, fifteen hands high, with a star in his forehead, and some saddle spots on his back—no brands perceptible; appraised to \$16 before

JOHN PARKER.

October 23d, 1819—52-3

Wanted,

One hire, for 12 months, a Negro Woman acquainted with cooking and washing. Enquire at the Gazette Office.

July 9.

Replevin Bonds,

FOR SALE AT THIS OFFICE.

By the President of the U. States.

WHEREAS, by an act of Congress, passed on the 3d of March, 1815, entitled "An act to provide for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes," the President of the United States is authorized to cause the lands acquired by said treaty to be offered for sale, when surveyed.

Therefore, I, James Monroe, President of the United States, do hereby declare and make known, that public sales for the disposal (according to law) of certain lands in the territory of Alabama, shall be held at Huntsville, in said territory, as follows:

On the first Monday in July next, for the sale of townships 9, 10, 11, 12, 13 and 14, in ranges 1 and 2, west—9, 10, 11, 12, 13 and 14, in range 1, east—9, 11, 12 and 14, in range 2, east—12 and 13, in range 3, east—11, 12, and 13, in range 4 east.

On the first Monday in September, for the sale of townships 9 and 10, in range 3, west—9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, in ranges 4 and 5, west.

On the first Monday in November, for the sale of townships 9, 10 and 11, in ranges 6 and 7, west—9 and 10, in range 8, west—9, 10 and 11, in range 9, west—9, 10, 11 and 12, in range 10, west—9, 10, 11, 12 and 13, in range 11, west.

On the first Monday in January 1820, for the sale of townships 9, 10, 11, 12, 13 and 14, in ranges 13 and 14, west—10, 11, 12, 13 and 14, in range 15, west—11, 12, 13 and 14, in range 16, west—12 and 13, in range 17, west.

And sales shall be held at Cahaba, in the said territory, on the first Monday in August next, for the sale of townships 9, 10, 11, 12, 13, 14 and 15, in range 5—9, 10, 11, 12, 13 and 15, in range 6—11, in range 7—10 and 11, in range 9—8, 9, 10 and 11, in ranges 10 and 11, 9, 10 and 11, in range 12. Excepting such lands as have been, or shall be, reserved according to law, for the use of schools and for other purposes. Each sale shall continue open for two weeks and no longer, and shall commence with the lowest number of section, township and range, and proceed in regular numerical order.

Given under my hand, at the City of Washington, this 20th day of March, 1819.

JAMES MONROE.

By the President,

JOSIAH MEIGS,  
Commissioner of the General Land Office.

Printers of Newspapers who are authorized to publish the laws of the United States, will insert the above once a week till the 1st of January next.

17-37

By the President of the United States.

WHEREAS, by an act of Congress, passed on the 3d day of March, 1815, entitled "An act to provide for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians and for other purposes," the President of the United States is authorized to cause the lands acquired by said treaty to be offered for sale, when surveyed:

Therefore, I, JAMES MONROE, President of the United States, do hereby declare and make known, that public sales for the disposal (according to law) of certain lands in the Alabama territory, shall be held at Cahaba, in the said territory, on the second Monday in January next, and shall continue open three weeks, during which time shall be offered for sale—

Townships 5, 6, 7, 8, 19, 20, 21, 22, and 23, in range 5; 6, 7, 19, 20, & 12, in do. 6, 17 and 19, in do. 7, 17 and 18, in do. 8, 17, 18, 19, and 20, in do. 9, 21 and 22, in do. 13, 21 in do. 15, part or townships 17, in do. 18, except such land as have been, or shall be, reserved by law for the support of Schools, or for other purposes: there shall be offered for sale in regular numerical order, commencing with the lowest number of section, township and range.

Given under my hand at the City of Washington, this 28th day of September, 1819.

JAMES MONROE.

By the President,

JOSIAH MEIGS,  
Commissioner of the General Land Office.

Printers who are authorized to publish the laws of the United States, will publish the above once a week till the 1st of January next, and send their bills to the General Land Office for payment.

42

For Sale,

Last and Boot Tre Manufactury.

THE subscriber respectfully informs the public at large, tht he intends carrying on the above business, & its various branches, in Lexington, Ky., Main Cross-street, 3 doors above Mr. Year's Currying Shop, where he intends keeping a constant supply of LASTS and BOOT TREES, which may be had low for Cash.

DAVID WEIGART.

Lexington, Nov. 25, 1819—48-3t

\* \* \* \* \* The editors of the Russell & Lovell's Messenger and Louisville Herald, will insert the above in their papers for 3 weeks and forward their accounts to this office for payment.

October 1—40t

Cash for Barley.

GEORGE WOOD, will give the highest price CASH in hand, for BARLEY o

good quality at

The Lexington New Brewery.

Enquiry may be made of Dr. Elisha Warfield or Mr. John Brand.

October 1—40t

For Sale or Rent,

And possession given immediately,

A large New 2 Story Brick House,

SITUATED at the corner of Market and Mecklinck streets, near the University.

This building is well situated, and calculated

for a boarding house, having 7 rooms above the

seller, with 3 in the seller. If sold a great

bargain will be given, and if rented, it will be

let at a low rent.

JOHN STARKS.

October 15th, 1819—42t

SALT.

The Subscribers have Just Received,

A quantity of Salt,

For sale at two DOLLARS per bushel, by

the barrel.

HIGGINS & PRITCHARD.

August 12, 1819—33t

Hope Powder Mills,

One mile west of Lexington, on the Woodford Road.

JOSEPH & GEORGE BOSWELL,

HAVE entered into Co-Partnership with

SPENCER COOPER, for the purpose or

manufacturing GUN-POWDER, under the

firm of

SPENCER COOPER & CO.

Who will keep a constant supply of Gun-

Powder, equal to any made in the United States and will sell on as good terms.

All orders will be strictly attended to, and

they will continue to give the highest price

for SALT-PETRE, delivered at J. & G. Boswell's Store, on Cheapside, Lexington, or at

their Mills.

SPENCER COOPER & CO.

Jan. 1, 1819-4t

Notice.

The subscribers having rented Mr. Hart's

Rope Walk for a term of years, with the

intention of carrying on the

Rope-Making Business,

In all its various branches, they will give the

highest price in CASH for HEMP, delivered

at said Walk, where BALE ROPE, CABLES

and TARRED ROPE, of all descriptions,

may be had on the shortest notice, war-

anted of equal quality to any manufactured in

the United States. They wish to purchase a

quantity of TAR.

MORRISON & BRUCE.

Lexington, Jan. 15, 1819-4t

HEMP.

THE HIGHEST PRICE CASH IN HAND,

Given for Hemp,

Delivered at the Rope Walk, formerly the

property of JAMES KEENS, dec'd, on Water-

street.

HENRY WATT.

Lexington, Feb. 5, 1819-4t

IN CHANCERY.

THIS day came the complainant aforesaid

by his counsel, and it appearing to the

Court that the defendants, John Ali, and